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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,210	09/10/2001	Trevor Wright	36-1473	2424

23117 7590 03/15/2007
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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/936,210

Applicant(s)

WRIGHT ET AL.

Examiner

Longbit Chai

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 6 have been presented for examination. Claims 7 – 10 have been added in an amendment filed 7/19/2006 and the new claims 11 – 15 are added in an amendment filed 2/12/2007. The amendment filed have been entered and made of record. Presently, pending claims are 1 – 15.

Response to Arguments

2. Applicant's arguments with respect to the subject matter of the instant claims have been fully considered but are not persuasive.

3. First of all, Applicant asserts that "the face of the Farber '280 patent (i.e. US Patent No. 6,415,280) does indicate that it is a division of an earlier filed application now issued as US Patent No. 5,978,791. However, inspection of that earlier issued patent reveals that it does not contain a claim having the substance of claim 34 at column 43, lines 24-40 of the Farber '280 patent upon which the Examiner exclusively relies.

Should this ground of rejection be continued, it is respectfully requested that the Examiner point out the basis for such rejection with respect to the text of Farber '791 which does appear to have an early enough date to qualify for "prior art" with respect to this application". Examiner respectfully responds as follows.

- The specification disclosure of two divisional applications must be identical (i.e. Patent No. 6,415,280 and 5,978,791) while the only difference is between the claims.

Art Unit: 2131

- As requested by Applicant, the corresponding disclosure used for the basis of prior-art rejections “determining a message digest code (MAC) for the particular data file in a network by computing a message digest function associated with the contents of the particular data file” is presented in (Farber’ 5,978,791: Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57) and the MAC is verified for the purpose of file integrity check (Farber’ 5,978,791: Column 34 Line 33 – 62).

4. Besides, Examiner respectfully requests that Applicant should submit an argument discussing the references applied against the claims, explaining how the claims avoid the references or distinguish from them – for example, Applicant pointed out “the system of Farber will copy a file if it is changed in order to update a cache. In contrast, Applicant's system will copy a file if it is not change”. Examiner respectfully responds as follows.

- Which claim that Applicant is referred to?
- Farber teaches not only a file may be copied when the file is changed for updating purpose but also a file may be copied if it is not change because the remote system did not have a file identifier or because it arrives as a stream of un-name data (Farber’ 5,978,791: Column 33 Line 31 – 39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farber et al. (U.S. Patent 6,415,280 and Divisional U.S. Patent 5,978,791), in view of Messing (U.S. Patent 6,745,327).

As per claim 1, 4, 5, 7 and 9, Farber teaches a server computer comprising:
means arranged to store one or more computer files (Farber-8,791 : Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57);

means arranged to store at least one message digest code (MAC) (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57). However, Farber does not disclose expressly to store at least one digital signature. Messing teaches storing at least one digital signature by signing the document (Messing : Column 7 Line 5 – 16 and Figure 3).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Messing within the system of Farber because Messing teaches a digital signature to ensure the authenticity and integrity of a digital content (Messing : Column 7 Line 5 – 16 and Figure 3).

Farber in view of Messing teaches:

each computer file having an associated digital signature (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57 & Messing : Column 7 Line 5 – 16 and Figure 3);

means arranged to retrieve said at least one requested computer file (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57);

means arranged to receive a request from at least one other computer for access to at least one computer file stores an said server computer (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57: the client request the file);

means arranged to retrieve the digital signature or signatures associated with said at least one requested computer file (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57& Messing : Column 7 Line 5 – 16 and Figure 3);

means arranged to validate the digital signature associated with said at least one requested computer file (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 –

Art Unit: 2131

45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21

Line 52 – 57 & Messing : Column 7 Line 5 – 16 and Figure 3); and

means arranged to deny said other computer access to the or each requested computer file if the digital signature or signatures associated with the or each respective requested computer file is invalid (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57 & Messing : Column 7 Line 5 – 16 and Figure 3).

As per claim 2, Farber as modified teaches means arranged to store a list of approved computer file signing parties; each computer file signing party having at least one associated signing key with which to create digital signatures (Messing : Figure 3 and Column 7 Line 10 – 12); and in which said means arranged to validate the digital signature associated with each requested computer file invalidates said digital signature if said digital signature was created with a signing key not associated with an approved computer file signing party (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57& Messing : Column 7 Line 5 – 16 and Figure 3).

As per claim 3, Farber as modified teaches said means arranged to validate the digital signature associated with said at least one requested computer file invalidates said digital signature if the current clock date is later than the expiry dare associated

with the or each computer file (Farber-5'280: Column 30 Line 28 – 36 and Column 9 Line 36 / Line 57 – 58 & Messing : Column 7 Line 5 – 16 and Figure 3).

As per claim 6, Farber as modified teaches medium embodying computer readable: Code for loading into a computer and executable by said computer to perform the method according to claim 5 (Farber-5'280: Figure 100).

As per claim 8 and 10, Farber as modified teaches at least one digital signature associated at the server computer with a stored file has been created from the file by the server computer using a signing key (Farber-8,791: Column 34 Line 33 – 62, Column 14 Line 40 – 45 / Line 53 – 56, Column 13 Line 10 – 14, Column 12 Line 55 – 59 and Column 21 Line 52 – 57 & Messing : Column 7 Line 5 – 16 and Figure 3).

As per claim 11 – 15, Farber as modified teaches the received request includes a pathname of the requested file (Column 5 Line 35 – 44, Column 8 Line 19 – 26, Column 35 Line 51 – 61 and Column 38 Line 1 – 4).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

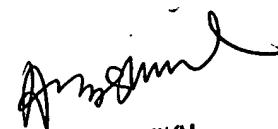
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Longbit Chai
Examiner
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